

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

JAMES DEAN CLOUD (01); and
DONOVAN QUINN CARTER CLOUD (02),

Defendants.

Case No. 1:19-CR-02032-SMJ-1, 2
CRIMINAL MINUTES

DATE: OCTOBER 1, 2020**LOCATION: YAKIMA**

EVIDENTIARY MOTION
HEARING - DAY TWO

Hon. Salvador Mendoza, Jr.

Nicole Cruz Cora Vargas Courtroom Deputy	01 Law Clerk	Kimberly Allen Court Reporter
Richard Burson Thomas Hanlon Government Counsel	John McEntire for James Cloud Lorinda Youngcourt for James Cloud Jeremy Sporn for James Cloud Richard Smith for Donovan Cloud Mark Larranaga for Donovan Cloud Defense Counsel	

☒ **Open Court**☐ **Chambers**☐ **Teleconference**

Defendants James Dean Cloud and Donovan Quinn Carter Cloud **are present and in custody** of the U.S. Marshal with appointed counsel.

Detective Michael Williams resumes stand, previously sworn to testify

Cross examination by Mr. McEntire continues (Defense Exhibit 1002 discussed).

Witness steps down and is excused (8:05 a.m.)

Detective Brian McIlrath, Yakima County Sheriff's Office, sworn to testify (8:06 a.m.)

Direct examination by Mr. Burson (Government Exhibit 9 discussed).

Witness steps down and is excused (8:26 a.m.)

[X] ORDER FORTHCOMING

CONVENED: 7:58 A.M. 9:07 A.M. 10:30 A.M. 1:31 P.M. 3:07 P.M.	ADJOURNED: 8:51 A.M. 10:13 A.M. 12:12 P.M. 2:47 P.M. 4:52 P.M.	TIME: 6:42	CALENDARED [N/A]
---	---	-------------------	-------------------------

USA -vs- Cloud, et al.
1:19-CR-02032-SMJ-1,2
Evidentiary Motion Hearing

October 1, 2020
Page 2

Chris Reyes, Investigator for Federal Defenders, sworn to testify (8:28 a.m.)

Direct examination by Mr. McEntire

Cross examination by Mr. Smith

Cross examination by Mr. Burson

Mr. Burson moves for production of Mr. Reyes' interview notes

Mr. McEntire advises rough notes have not been exchanged between the parties

Court: all rough notes shall be exchanged between the parties during recess

Recess: 8:51 a.m.

Reconvene: 9:07 a.m.

Chris Reyes resumes stand, previously sworn to testify

Cross examination by Mr. Burson continues

Re-direct examination by Mr. McEntire

Witness steps down and is excused (9:19 a.m.)

Dr. Cara Laney, Eyewitness ID Expert, sworn to testify (9:20 a.m.)

Direct examination by Mr. McEntire (Defense Exhibits 1000, 1007, 1008 and 1010 discussed and admitted; Defense Exhibits 1002 and 1009 discussed).

Recess: 10:13 a.m.

Reconvene: 10:30 a.m.

Dr. Cara Laney resumes stand, previously sworn to testify

Direct examination by Mr. McEntire continues (Defense Exhibits 1010, 1006 and 1023 discussed; Defense Identification 1011 discussed).

Mr. McEntire plays video clips of Government Exhibit 10.

Direct examination by Mr. McEntire continues (Defense Exhibits 1022, 1024 and 1025 discussed and admitted).

Recess: 12:12 p.m.

Reconvened: 1:31 p.m.

Dr. Cara Laney resumes the stand, previously sworn to testify

Cross examination by Mr. Burson (Defense Exhibit 1019 discussed and admitted; Defense Exhibits 1009, 1000, 1010 and 1006 discussed; Government Exhibit 3 discussed).

Re-Direct examination by Mr. McEntire (Defense Exhibits 1009, 1008, 1010 and 1006 discussed).

Witness steps down and is excused (2:47 p.m.)

USA -vs- Cloud, et al.
1:19-CR-02032-SMJ-1,2
Evidentiary Motion Hearing

October 1, 2020
Page 3

Recess: 2:47 p.m.
Reconvened 3:07 p.m.

Closing arguments by Mr. McEntire

Closing arguments by Mr. Smith

Closing arguments by Mr. Burson

Rebuttal closing arguments by Mr. McEntire

Court: Defendants' Motion to Suppress J.V.'s Tainted Identification, ECF No. 145; Motion to Exclude E.Z.'s Unreliable ID, ECF No. 186; and Motion in Limine Re: Lindell LaFollette's False Memory, ECF No. 185, are **TAKEN UNDER ADVISEMENT.**